

048928/21061/TPD/BSS

U.S. DISTRICT COURT FOR THE
SOUTHERN DISTRICT OF ILLINOIS, EAST ST. LOUIS DIVISION

JEFF MCGRAW, #Y38458,

Plaintiff,

v.

MARY PEEKS, A. DAVID, WARDEN
MITCHELL, and WEXFORD HEALTH
SOURCES,

Defendants.

Case Number 3:21-cv-00800-SMY

Judge Staci M. Yandle

MOTION TO COMPEL

COMES NOW Defendant, MARY PEEKS, by and through her attorneys, CASSIDAY
SCHADE LLP, and for her Motion to Compel, states as follows:

1. On September 13, 2022, this Court entered a Scheduling Order, lifting the stay on discovery, and giving the Parties until July 13, 2023, to complete discovery. (Doc. 45).
2. On September 20, 2022, Defendant propounded onto Plaintiff Interrogatories and Requests for Production of Documents, to be answered in accordance with Federal Rules of Civil Procedure 33 and 34, respectively.
3. On November 16, 2022, having not received Plaintiff's Answers and Responses to the discovery, Defendant sent Plaintiff a Good Faith Letter, at his address of record, requesting Plaintiff's response within 14 days. (Exh. A).
4. On November 23, 2022, Plaintiff filed a Notice of Change of Address, informing the Parties that he was now housed at Hill Correctional Center. (Doc. 49).

5. On January 3, 2023, having not received Plaintiff's Answers and Responses to the discovery, Defendant sent Plaintiff a Second Good Faith Letter, addressed to him at Hill Correctional Center, requesting Plaintiff's response within 14 days. (Exh. B).
6. To date, Defendant has not received Plaintiff's Answers and Responses to her Discovery, or any other communication regarding the same.
7. Defendant certifies she has made a good faith effort to confer with Plaintiff to obtain his Discovery responses.
8. As Defendant has made a good faith effort to confer with Plaintiff to obtain his Discovery responses, but has not received the same, Defendant moves this Court to compel Plaintiff's Discovery responses.

WHEREFORE, Defendant, MARY PEEKS, respectfully requests that this Court grant her Motion to Compel, and any such other relief deemed just and proper

Respectfully submitted,

CASSIDAY SCHADE LLP

By: /s/ Brent S. Scott
One of the Attorneys for Defendant, MARY
PEEKs

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CERTIFICATE OF SERVICE

I hereby certify that on January 24, 2023, I electronically filed the foregoing Motion with the Clerk of the Court using the CM/ECF system. The electronic case filing system sent a “Notice of E-Filing” to the following:

Christine McClimans
Assistant Attorney General
201 West Pointe Dr. Suite 7
Swansea IL 62226
(618) 236-8782
Christine.McClimans@ilag.gov

and I hereby certify that a true and correct copy of the foregoing Motion was served via regular mail to the following non-CM-ECF participant at the following address by depositing the same in the U.S. mail located in St. Louis, Missouri, with proper postage prepaid, before the hour of 5:00 p.m., on January 24, 2023. Under penalties as provided by law pursuant to 735 ILCS 5/1-109, I certify that the statements set forth herein are true and correct:

Jeff McGraw, #Y38458
HILL CORRECTIONAL CENTER
600 South Linwood Road
PO Box 1700
Galesburg IL 61402

/s/ Brent S. Scott

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